

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claim 4 is cancelled herein without prejudice to or disclaimer of the subject matter set forth therein. Claims 1-3 and 5-20 are pending. Claims 1, 3, 10, 11, and 18-20 are amended, Claims 1 and 11 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 4, 13, and 16-18 would be allowable if rewritten in independent form, and claims 19 and 20 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base and any intervening claims.

Applicant thanks the Examiner for the indication of allowable subject matter in this application. In response,

independent claim 1 has been amended to incorporate the allowable subject matter of objected-to claim 4 and intervening claim 2, and

independent claim 11 has been amended to incorporate the allowable subject matter of objected-to claim 18.

Accordingly, independent claims 1 and 11 are in condition for allowance.

Restriction Requirement

The Examiner has made the Restriction Requirement final, and has withdrawn claims 7-11 from further consideration.

When independent claim 1 is found to be allowable, it is respectfully requested that

the Examiner consider and rejoin withdrawn claims 7-11.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 19 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is respectfully traversed.

In order to overcome this rejection, Applicant has amended claims 19 and 20 to correct the deficiencies in the preamble specifically pointed out by the Examiner. Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. § 102(b)

Claims 1-3, 5, 6, 11, 12, 14, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Toyoda (JP 2003-011875). This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present invention, independent claim 1 has been amended to incorporate the allowable subject matter of objected-to claim 4 and intervening claim 2, and

independent claim 11 has been amended to incorporate the allowable subject matter of objected-to claim 18.

Therefore, independent claims 1 and 11 are in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) are respectfully requested.

Dependent Claims

The Examiner will note that dependent claims 3, 10, and 18-20 have been amended, and dependent claims 18-20 have been added to set forth additional novel features of the invention.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

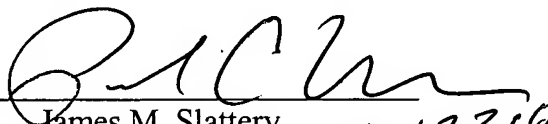
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Date: February 27, 2008

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



James M. Slattery

Reg. No. 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 110 East

P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

Attorney for Applicant

For

#43360